

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

CHICAGO & VICINITY LABORERS' )  
DISTRICT COUNCIL PENSION FUND, et al. )  
  )  
  Plaintiffs,         )      **Case No. 20 C 5456**  
v.                                     )  
  )  
LEMONT PAVING CO., an Illinois )  
corporation, and LEMONT ASPHALT Co., )  
an Illinois corporation             )  
  Defendants.         )

**AGREED STIPULATION TO DISMISS**

Now come Plaintiffs, Chicago & Vicinity Laborers' District Council Pension Fund, Chicago & Vicinity Laborers' District Council Welfare Fund, Chicago & Vicinity Laborers' District Council Retiree Health and Welfare Fund, and Catherine Wenskus, Administrator of the Funds (hereinafter collectively the "Funds"), by and through their attorney, Amy Carollo, and Lemont Paving Co. and Lemont Asphalt Co. (hereinafter collectively "Lemont"), by and through its attorney, Brian Jackson, and hereby submit the following Agreed Stipulation to Dismiss. In support of this Agreed Stipulation to Dismiss, the Parties state as follows:

1. The Parties reached a settlement in this case pursuant to the terms of a Settlement Agreement.
2. Pursuant to terms of the settlement, the Parties respectfully request that the Court dismiss with prejudice, except that the dismissal is without prejudice to the rights of Funds and the Construction and General Laborers' District Council of Chicago and Vicinity ("Union") to enforce their rights under the Affidavit and Agreement of Indemnification entered into by the Parties as part of the settlement.
3. The Parties further request each Party bears its own attorneys' fees and expenses.

WHEREFORE, the Parties respectfully request that the Court dismiss this matter with prejudice.

Dated: October 8, 2021

Respectfully submitted,

Laborers' Pension Fund, et al.

By: /s/ Amy Carollo

Amy Carollo  
Office of Fund Counsel  
111 West Jackson Boulevard, Suite 1415  
Chicago, IL 60602  
(312) 692-1497

Lemont Paving Co. and Lemont Asphalt Co.

/s/ Brian Jackson

Attorney for the Defendants

Laner Muchin Ltd.  
515 North State Street, Suite 2800  
Chicago, Illinois 60654

**CERTIFICATE OF SERVICE**

The undersigned attorney of record certifies that she caused a copy of the foregoing Agreed Stipulation to Dismiss to be served upon the following individual via the Court's electronic notification system on this 8th day of October, 2021.

Brian Jackson  
Laner Muchin Ltd.  
515 North State Street, Suite 2800  
Chicago, Illinois 6065

By: /s/ Amy Carollo